

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD ALLEN DOWNEY,

Defendant.

Case No. 3:20-cr-00076-RRB

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
SCHEDULING DISPOSITION**

Before the Court at Docket 251 is a Report and Recommendation on Petition (Docket 110) in which the Magistrate Judge recommends, after a roughly four-day evidentiary hearing, that the Court find that the allegations in the Petition be substantiated and that the matter proceed to judgment. This recommendation is objected to by Defendant at Docket 253.

The Court has considered all the above and hereby ACCEPTS and ADOPTS the aforesaid Report and Recommendation and enters adjudication of guilt as to each of the allegations set forth in the Petition at Docket 110. The Government has sustained its position by a preponderance of the reasonably reliable evidence and does not appear to be putting “form over substance.” Here, all Defendant must do is attempt to cooperate in good faith with his legal obligations. If he is not eligible for a PFD, that is for the PFD board to

determine, not Defendant. While the Court respects Defendant's religious beliefs, such beliefs cannot be construed to override one's reasonable legal obligations or the rule of law. Considering the totality of evidence, the Court cannot find that Defendant was prejudiced at the evidentiary hearing or denied due process of law.

Disposition in this matter is hereby set to proceed on **January 22, 2025, at 1:15 p.m.** in Anchorage Courtroom 4.

IT IS SO ORDERED this 10th day of December, 2024, at Anchorage, Alaska.

/s/ Ralph R. Beistline
RALPH R. BEISTLINE
Senior United States District Judge